

<input type="checkbox"/> FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER X-16177	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/575469	
INTERNATIONAL APPLICATION NO. PCT/US2004/038240	INTERNATIONAL FILING DATE 10 December 2004 (10.12.2004)	PRIORITY DATE CLAIMED 23 December 2003 (23.12.2003)	
TITLE OF INVENTION: MORPHOLINE DERIVATIVES AS NOREPINEPHRINE REUPTAKE INHIBITORS			
APPLICANT(S) FOR DO/EO/US: Peter Thaddeus GALLAGHER, Carlos LAMAS-PETEIRA, and Francisco Javier AGEJAS-CHICHARRO			
Applicant herewith submits to the U.S. Designated/Elected Office (DO/EO/US) the following items and other information:			
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11.	<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> The US has been elected (Article 31).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </div> </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <div style="margin-left: 20px;"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </div> </div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A declaration of the inventors 35 U.S.C. 371(c)(4) was provided in the PCT Request Form.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A copy of the International Preliminary Examination Report (IPER), including any annexes, and, if not in English, an English language translation of the annexes to the IPER under PCT Article 36 (35 U.S.C. 371(c)(5)).</div>		
Items 12. to 18. below concern document(s) or information included:			
12. 13. 14. 15. 16. 17. 18.	<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> Search Report/Written Opinion (ISA/EP)</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> Assignment has been recorded at reel _____, frame _____.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> A FIRST preliminary amendment.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A Sequence Listing, 1.821 Statement, and diskette.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input type="checkbox"/> A change of power of attorney with attachment.</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px;"><input checked="" type="checkbox"/> Other items or information: Please amend the first page of the specification by inserting the following cross-reference after the title: "This is the national phase application, under 35 USC 371, for PCT/US2004/038240, filed 10 December 2004, which claims the benefit of EP 03380306.5, filed 23 December 2003, and US provisional application 60/547,519, filed 25 February 2004." </div>		

U.S. APPLICATION NO. (if known) 10/575469 (37 CFR 1.53)	INTERNATIONAL APPLICATION NO. PCT/US2004/038240	ATTORNEY'S DOCKET NUMBER X-16177
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19.	X	The following fees are submitted:	CALCULATIONS	PTO USE ONLY
(a)		Basic national fee (37 CFR 1.492(a)).....\$300.00	\$ 300.00	
(b)		Examination fee (37 CFR 1.492(c))		
		If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0	\$ 200.00	
		All other situations.....\$200		
(c)		Search fee (37 CFR 1.492(b))		
		If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0	\$ 400.00	
		Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100		
		International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400		
		All other situations.....\$500		

TOTAL AMOUNT (a + b + c) =	\$ 900.00	
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Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$	
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CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	11 -20=	0	X \$50.00	\$	
Independent claims	1 -3=	0	X \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	

TOTAL OF ABOVE CALCULATIONS =	\$	
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Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).	\$	
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SUBTOTAL =	\$ 900.00	
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Processing fee of \$130.00 for furnishing English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$	
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TOTAL NATIONAL FEE =	\$ 900.00	
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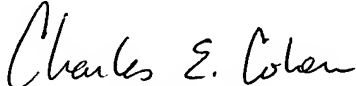

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).	\$	
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TOTAL FEES ENCLOSED =	\$ 900.00	
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	Amount to be refunded	\$
	charged	\$

a.	<input type="checkbox"/>	A check in the amount of \$_____ to cover the above fees is enclosed.
b.	<input checked="" type="checkbox"/>	Please charge my Deposit Account No. 05-0840 in the amount of \$900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
c.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: ELI LILLY AND COMPANY PATENT DIVISION P.O. BOX 6288 INDIANAPOLIS, INDIANA 46206-6288 <u>12 April 2006</u> DATE <u>34,565</u> REGISTRATION NUMBER	 SIGNATURE <u>Charles E. Cohen</u> <u>317-433-4983</u> TELEPHONE NUMBER	 25885 PATENT TRADEMARK OFFICE
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IN THE UNITED STATES RECEIVING OFFICE (USRO)

Applicants: **Peter Thaddeus GALLAGHER**
Carlos LAMAS-PETEIRA
Francisco Javier AGEJAS-CHICHARRO

International Application No.: **PCT/US2004/038240**

Filed: **10 December 2004 (10.12.2004)**

Invention: **MORPHOLINE DERIVATIVES AS NOREPINEPHRINE REUPTAKE INHIBITORS**

Lilly Reference: **X-16177**

Earliest Priority Date: **23 December 2003 (23.12.2003)**

Certificate Under 37 C.F.R. § 1.10

Attention: DO/EO
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

"Express Mail" mailing label number: EV 393129155 US

Date of Deposit: Apr. 12, 2006

I hereby certify that the following attached paper or fee

Transmittal Letter to the United States Designated/Elected Office (US) concerning a filing under 35 U.S.C. 371 of the International Application identified above is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

QUEEN Thomas
(Typed or printed name of person mailing paper)

Queen Thomas
(Signature of person mailing paper or fee)